IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUNATION SHEET

FIRST APPEAL NO.1357 OF 2005
FIRST APPEAL NO.1358 OF 2005
FIRST APPEAL NO.1359 OF 2005

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	**Court's or Judge's orders**

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Mr.M.D.Angal for the Appellant
Mr.A.R.Shaikh for Respondent No.1
Mr.Javeed Hussain for Respondent No.2.

CORAM: A.S.OKA, J.
DATE : MARCH 8,2007.

P.C.:

1. Admit. Respondent Nos.1 and 2 waive service. Printing is dispensed with.

2. Private Paperbook along with Decree Form shall be filed by the Appellant within a period of one year from today. If compliance is not made within stipulated time, the Appeal shall stand dismissed for want of prosecution without further reference to the court.

3. Impugned Decree has been passed in a summary suit. There is nothing in the Memorandum of Appeal which makes out a

case for dispensing with requirements stipulated under sub rule 3 of Rule 1 of Order XLI of the Code of Civil Procedure,1908. Therefore, the Appellant will have to deposit the decretal amount as per the impugned Decree with the Trial Court within a period of two months from today. Accordingly, the Appellant is directed to deposit entire decretal amount within a period of two months from today with the trial Court. If the amount is deposited, the Trial court will permit the original Plaintiff to withdraw the said amount subject to furnishing adequate security for the said amount.

JUDGE